1883-014 Chancery Causes: Cdn. of Margaret Ely & by vs. Margaret Ely &c
Lee Co.

Campbell, Lundy, Woodward, Cox, Franklin, Haveley, Hommel,
Thompson, Neil, Wiley, Blakemore, Long, Turner, Ewing,
Havely, Niel, Susong, Conner, Loftes, Crockett, Sheets, Hamblen,
Baker, McNeil, Hamblin, Boles, Gibson, Richmond, Fulkerson, Pridemore

CA-Estate Dispute
T-Property
Migration

To the Hon. John A. Kelly, Judge of the Circuit Court of Lee County Va

The bill of Complaint of Susan M. Ely Guardian of Margaret Ely, Mary Ely and Ann Ely, infant children and heirs at law of Robert M. Ely Jr. deceased.

Your complainant would respectfully represent, that her wards are also her children, by her marriage with said Robert M. Ely Jr: that as far as in her power of Judgement lies, she seeks only their best interest: and in the complaint hereinafter made she is guided alone by that aim. Her wards are the owners, by descent from their said father, of a very large and valuable real estate, situated in the County of Lee, known as "Elydale" or "Walnut Hill" about 8 miles East from Cumberland Gap. - This estate consists of about 4.500 acres of adjacent lands, 1300 of which are enclosed and in actual cultivation, and much of it is very fine grain and Grass lands; and considerable portions thereof are now set in grass. These lands are partly bounded on the South, by the State line of Tenn, and partly on the North, by the State line of Kentucky, 3400 thereof or nearly that amount is woodland o mostly on Poor Valley ridge and South side of Cumberland mountain.

and are chiefly valuable for timber purposes. Your complainant would mention that in this vicinity there are no schools of high grade, nor ever likely to be, the country is narrow, and along the state lines there has for all time past, been congregated desperadoes, and lawless bands to an extent, that forbids the prospect in the near future of such institutions. The citizens of Virginia at this point will doubtless compare favorably with any in the state for morals, intelligence, and wealth but in Kentucky and Tenn the society is proverbially bad. Your complainant was brought up in a wealthy and populous County in the State of Missouri, And after all due allowance for the partiality of ones native "heath" she still maintains that her own country is far in advance, in Education and material progress, to the location of these lands. She feels safe in charging therefore, that the value of her wards real estate, safely invested in lands in Missouri or indeed any of the Growing Western States, would in a few years, long before their maturity, double, possibly triple in value, whereas in their present location, they are not now valued at so

much as they were 20 years ago. The estate is one that will sell for full value, and one that is sought after. So that if your complainant, had no higher object than a safe and profitable investment, with only a pecuniary benefit in view, she alleges it would be greatly to the interest of her wards to sell their lands in Virginia and re-invest in the proceeds in lands in the West. The children are respectively, 8 6 and 5 years of age, all girls, and when it is conceded that their education, intellectual and moral training, are far above any monitary consideration, how much more powerful the reason for the change becomes. Besides when educated, their associations are none the less important. Their means are ample, to procure them an inheritance, worthy of the greatest care anywhere, and when thus provided for any great increase over that is not so much to be cared for. Your complainant may say that this large body of land is not held by the same title, but consists of divers tracts and parcels of land, purchased at various times, from different individuals by their ~~Grandfather~~ Great-Grandfather Robert M. Ely sen. but the titles are all good and perfect, and boundaries well defined,

Your Complainant therfore alleges, that it is greatly to the interest of Her wards, to sell these Virginia lands, and under the orders and decrees of this Court invest the proceeds, in lands in the Western States. Your Complainant, holds her dower interest in these lands which have been, assigned, and this interest is doubtless as valuable as one of her wards shares, this she desires to be sold also, and looking to her own welfare she believes the exchange of Lands desirable. Your Complainant, cannot but adds, that her wards are to her, doubly dear by reason of their entire dependence upon her, and she would be less than a mother if their earthly happiness and final redemption should be not her highest Care & most sacred object in life. Your Complainant can stay anywhere or is willing to remove, to promote their welfare. She is fully apprised of the attractiveness of this estate, has an eye to its value, and doubts not many persons will differ in judgement with her as to the change. Nevertheless, deeply interested as she is and Cautious of her own and childrens estate she knows their best advance lies in this change, and seeks it for them under that clear and undoubting opinion.

As before limited these lands were acquired by her words Great Grandfather, Robert M. Ely Sen. deceased, and should her children all die in infancy said lands moved then descend to said Roberts collateral relatives, his brothers & sisters, of whom he had 12 in number, some of whom are dead leaving children - Your complainant will now state them, so far as known. Viz: George R. Ely, Alexander Ely sen. Thomas S. Ely sen. John W. M. Ely, Wm L. Turner and Phebe E. Turner his wife, Anderson Campbell and Belinda Campbell his wife, These are all of the brothers and sisters now living - Isaac Ely a brother died leaving the following children his heirs at law, viz: Jane Ely Ann who intermaried with Elish L Lundy, Worden Ely and Franka Ely. One of his sisters intermaried with Valentine Woodward and she is now dead leaving the following children and Grand children her heirs at law, viz: H. H. Woodward, Alexander E. Woodward, E. S. Woodward Mary Ewing wife of Joseph Ewing. Elizabeth, who intermaried with one George Cox, she is now also dead leaving unknown heirs. John T. Woodward who is a grandson of the said Mary, being a Son of Edward Woodward deceased, Sallie Ely another sister intermaried with one Franklin, by whom she had one son Robert P. Franklin, and her husband then died and she afterwards intermaried with one Hawley, and by him left the following

the following children, who with the said Franklin constitute her heirs at law viz: Ann Woodward, wife of H. W. Woodward, J. M. Havely James Havely, Sallie Hommel, wife of — Hommel Josephine, who intermarried with James M. Thompson C. B. Havely Phebe, who intermarried with Wm J. McNeil and N. B. Havely. Heriam Ely an other brother of the said Robert M. departed this life leaving the following children his heirs. Moses Ely Robert B. Ely, James M. Ely, Sarah Jane, who intermarried with Frank Wiley, Elizabeth, who intermarried with Andrew Lusong, Virginia Conner, whose husband is now dead, Eliza Woodward, wife of Nathan Woodward, an other daughter who is now dead intermarried with Harrison Crockett, and left the following children viz. Adaline who intermarried with Rufus Loftis, Margaret Crockett, Robert Crockett, Frank Crockett, ~~Alexander~~ James A. G. Ely an other brother, died leaving the following Children, Alexander Ely Jr. Mary J. who is now dead but who intermarried with one Charles Blakemore and left one child whose name is unknown to your Complainant; an other sister intermarried with one - Hamblin, and she died leaving one child a girl, who intermarried with James S. Long and she died leaving as her children and heirs, Henry Long, Precias who intermarried with Norban Sheets Magee Long and Alice Long

Yet an other Sister nitemaried with John Hamblin, she has recently departed this life leaving two Children, to. L. Hamblin and Ellen Baker wife of wm A. M. Baker, - Then are ~~three~~ of the Crockett Children omitted above which are Wm Crockett, Joanna Crockett, and Mary Crockett; and these constitute the persons who would be the heirs at law of said estate should your Complainant, wandy die in infancy — Many of the foregoing persons are non residents, and several are infants The infants ~~who~~ are defendants are the wards aforesaid, to;

Infants

Margaret, Mary and Ann Ely, All of the Crockett, except Adaline Lofter, Alexander & wm Crockett, Alice and Maggie Long, are all the known infants — The non residents and unknown persons fully appear by an affidavit hereafter to be filed

Object.

The object of this bill therefore is to obtain a decree to sell said real estate all together or in seperate, parcels as may be found best; that the proceeds be under the orders and decrees of this Court, vested in real estate, in the west, in the State ~~no~~ if found equally advantageous,

Prayer.

The prayer of your Complainant therefore is that, Margaret Ely, Mary Ely, Ann Ely,

Prayer, George L. Ely, Alexander Ely Sr. Thomas J. Ely Sr
John H. M. Ely, Wm L. Turner, and Phebe E
Turner his wife formerly Phebe E. Ely, Anderson
Campbell and Belinda Campbell his wife
formerly Belinda Ely, James Ely, Elisha L.
Lundy and Ann Lundy his wife formerly Ann
Ely, Worden Ely, Franka Ely, Wm H. Woodward
and Ann Woodward his wife formerly Ann
Havely, Alexander Woodward, E. A. Woodward
Joseph Ewing and Mary Ewing his wife formerly
Mary Woodward "the unknown heirs of Elizabeth
Cox deceased" Who was formerly Elizabeth
Woodward, John T. Woodward, Robert C.
Franklin, J. M. Havely, James Havely —
Hommel and Sallie Hommel his wife formerly
Sallie Havely James M. Thompson, and Josephine
Thompson his wife, formerly Josephine Havely
E. B. Havely, Wm A. Steib and Phebe Steib
his wife formerly Phebe Havely, W. B. Havely,
Moses Ely, Robert B. Ely, James M. Ely, Frank
Wiley and Sarah Jane Wiley his wife formerly
Sarah Jane Ely, Andrew Swaney and Elizabeth
Swaney his wife, formerly Elizabeth Ely,
Virginia Cormer, formerly Virginia Ely, Nathan
Woodward, and Eliza Woodward his wife
formerly Eliza Ely, Rufus Lofter, and Adaline
Lofter his wife formerly Adaline Crockett

Margaret Crockett, Robert Crockett, Frank Crockett, Wm Crockett, Jeamie Crockett, Moses Crockett, Alexander Ely Jr. The unknown heirs of Mary J. Blakemore, deceased who was Mary J. Ely, and Cate the wife of Charles Blakemore, Henry Long, Therban Sheets and Precius Sheets his wife formerly Precius Long, Wages Long, Alice Long, C. L. Hamblin, Wm A. M. Baker, and Ellen Baker his wife formerly Ellen Hamblin, be made parties defendants to this bill and answer its allegations on oath, and upon a hearing a decree be rendered directing said land to be sold, and the proceeds thereof, invested in lands in the State Missouri, and that the rights of the Complainant and her infant wards be preserved in such future investment as at present vested. and for all other futher and general relief may appertaining &c.

A. L. Prideaux
P. Q.

LP

Susan M. Ely Guardn

C 14.00
S 12.50
J.P 2.50
Dr 10.00
G.A.L. 5.00
A 15.00
$59.00

Bill Chy.

Margaret Ely dcd

Bill filed Sept 27th 1882

1882, Octo 3rd Pa. Pld on Hom. Oft.
& O.N. as to Chm & O.P.
as to non residents.
" and J.M. Or appt G.A.L.
Novr. O.P. Comptt and O.N.
confd. and ans. G.A.L.
Filed & cause set for
hearing by Deff.
1882 Hom Term Contd.
1883 Mr contd
" Aug Decree Hom.

To the Honorable John A Kelly, Judge of the Circuit court of Lee County Va.

The answer of Margaret Ely, Mary Ely, Ann Ely, Margaret Crockett, Robert Crockett, Frank Crockett, Jeannie Crockett, Moses Crockett, Allice Long & Magee Long infants, by James W Orr their Guardian ad litem, to a bill, filed in Chancery in your Honor's Court against these defendants and others by Susan M Ely Guardian for the three first named infants.

Your respondent is informed it is true his said three first mentioned wards and their mother, the plaintiff, own a very large and valuable real estate situated in Lee County Va, about one third of which is under cultivation and the remaining 2/3 uncleared or woodland. These lands would probably sell for their full value, and the sales thereof would raise a large sum of money, which if prudently and safely invested in real estate in some prosperous and flourishing country, where real estate is continually increasing in value, would, doubtless, result in pecuniary benefit to said wards, But courts of equity being the peculiar Guardians of the rights & interests of infants, your respondent begs leave to place the interests of the said three wards, together with that of the

others, in the hands of your honor, feeling assured they will be vigilently watched and taken care of according to the proof in the cause. Having now answered as fully as is deemed necessary, your respondent prays to be hence dismissed with his costs.

James W Orr.
Guardian ad litem.

Sworn to before me by James W Orr. Nov 15th 1882.

J. A. L. Wyatt
Clerk

Susan B Ely
vs
Heirs of Ely & al.
Bill & Answer

Filed at Nov. Rules 1882
J. A. L. Wyatt
Clerk

Susan M. Ely. Guardn Pltff
against
Margaret Ely et als Defts } In Chy.

On the motion of the pltff this
Cause is discontinued from the docket.

Susan M. Ely Gunn

V E Deed Final

Margaret Ely et ux
Aug. 1. 1889

Entered page 328.
J. A. L. Wyatt
Clk

Entered
Sept 1 - 1883
J. A. K.

The depositions of James Gibbs and others, taken pursuant to agreement, upon the interogatories herein after setforth, with James H. Orr guardian ad litem of Margaret, Mary and Ann Ely, infant Children and heirs at law of Robert M. Ely deceased, and also the other infant defendants. And which said depositions are intended to be read as evidence on behalf of Susan M. Ely Guardian &c against said infants and others, a chancery suit now pending in the Circuit Court of Lee County Virginia - And which were taken at the dwelling house of Susan M. Ely & Wm S Richmond in the said County of Lee and State of Virginia, on the 22nd & 24th days of November 1882

William R. Bolee, a witness of lawful age being first duly sworn deposes and says -

Interogatory First by Plff -

Are you acquainted with the real estate formerly owned by the late Robert M. Ely Jr. at the time of his death?

Ans - I am.

Interogatory 2d. About how many acres are there? How many cleared & under fence, and how many in woodland

Ans. I would suppose between 2 3 00
or 8000 acres in all.
I expect there is probably 1500 acres
in the cleared & fenced land

Interogatory 3d. What would you regard as a fair price for the whole of said lands, by giving a credit of say one, two, three and four years with interest from date?

Ans.

I would suppose taking all together, the lands ought to be worth $30000 thirty thousand dollars.

Interogatory 4th. Has said real estate increased much in value in the last 20 years, or was it worth as much then as now on like credit -

Answer - I have not known the lands over 12 years. & therefore could not say as to their value then.

Interogatory 5th:
Taking into consideration, the location of said lands, the oportunity for an advanced Education of said female infants; and all ater circumstance known to you; would you belieue it to the advantage of the infant Children to sell said lands at a fair price; and re-in vest the proceeds of the sale in Western lands at fair prices any in the state of Missouri: Please give your full opinion for against such sale & transfer?
Answer.

I think that it would be best to sell under the circumstances. considering the uncertainty of renting. keeping fence so large a boundary &c.

Furthermore this Deponent sayeth not.

W R Boles

Zackary Gibson ~~him~~ a witness of lawful age being first duly sworn deposes & says

Interogatory 1st by Plff

Are you acquainted with the real estate formerly owned by the late Robt. H. Ely jr., at the time of his death.

Ans. I am.

2nd Int.

About how many acres are there? How many cleared & under fence; & how many in woodland?

Ans. I would suppose about 2000 acres or more. ~~wood land~~ about 1000 acres I think cleared & under fense

3rd Int. What would you regard as a fair price for the whole of said lands, by giving a credit of say one, two, three & four years, with interest from date.

Ans. I think ~~from~~ ~~to~~ ~~fifteen~~ twenty thousand dollars would be a fair price

Int. 4th

Has said real estate increased much in value in the last 20 years; or was it worth as much then as now on like credit

Ans. I do not think it has increased but probably decreased

Int. 5th

Taking into consideration the location of said lands, the opportunity for an advanced education of said female infants; and all other circumstances known to you: would you believe it to the advantage of the infant children, to sell said lands at a fair price; and re-invest the proceeds of that sale in western lands at fair prices. Say in the state of Missouri? Please give your full opinion for or against such sale & transfer.

Ans. I think it would be best to sell under circumstances. Further more this deponent sayeth not.

T. S. Gibson

H. C. T. Richmond.

A witness of lawful age being duly sworn deposes & says

Interogatory 1st by Plaintiff

Are you acquainted with the real estate owned by the late Robt. H. Ely Jr. at the time of his death?

Ans Tolerably well

Inter. 2nd About how many acres are there. How many cleared & under fence How much in woodland

I could not say. after going over the land. I suppose there was about one thousand acres under fence.

Interogatory 3rd

What would you regard as a fair price for the whole of said lands, by giving a credit of say one, two, & three & four years credit

Ans I think the land ought to bring from Twenty to Twenty five thousand dollars

Interogatory 4

Has the said lands increased much in value for the last 20 years or was it worth as much then as now on a like credit, I think not. the land appears Ans. to me to be very much worn washing over the land I discover many poor Knolls & washes.

Ans 4
The land do not appear to me to be in an improving State.

Interogatory 5th
Taking into consideration the location of said lands, the opportunity for an advanced education of said female infants: and all other circumstances known to you: would you believe it to the advantage of the infant children, to sell said lands at a fair price, and reinvest the proceeds of the sale in western lands at fair prices, say in the State of Missouri? Please give your full opinion for or against such sale & transfer.
Ans.

I do think it would be much better, to sell and invest in other land in the State of Missouri, this is a large portion of this land is now & let it be rented for 12 to 15 years longer I am of the opinion it will decrease greatly in value and further this deponeth saith not

Hellen E Richmond

L. D. Fulkerson. A witness of lawful age being duly sworn deposes & says

Interogatory 1st
Are you acquainted with the real estate owned by the late Robt. Mc. Ely. at the time of his death
Ans. I am.

Interogatory 2nd
About how many acres are there, How many cleared & under fence, & how many in woodland.
Ans. about one thousand acres under fence

Interogatory 3rd
What would you regard as a fair price for the whole of said lands. by giving a credit of say one two three & four years credit
Ans. Twenty thousand dollars or say Twenty three thousand dollars

Interogatory 4th Has said lands increased much in value in the last 20 years.
" I think not. It has decreased is my opinion

or was it worth as much then as now on a like credit

Ans. I certainly think not

Interogatory 5th

Taking into consideration the locations of said lands. the opportunity for an advanced education of said female infants, and all other circumstances known to you, would you believe it to the advantage of the children to sell said lands at a fair price & reinvest the proceeds of sale in western lands at fair prices, say in the State of Missouri. Please state your full opinion for or against such sale & transfer.

Ans.

I think it would be decidely best for the infant Children, to sell the lands, and further this deponeth saith not L. D. Fulkerson

Virginia Lee County to wit

I the undersigned Justice of the peace in and for Lee County Virginia do certify that the foregoing depositions of E S Gibson & William R Boles taken on 23rd at home of Susan Ely the deposition of A C J Richmond & D S Dickenson taken at home of H C J Richmond Nov 24th 1882 were taken sworn to and subscribed before me at the times and places mentioned in the caption. Given under my hand this 24th day of Nov. 1882

E. H Daniel J.P.

Costs.

E. H Daniel, J.P. Two dollars & fifty cts 2.50

Witnesses Charge Nothing

Susan M. Ely Complt

vs

Depositions

Margaret Ely et al

Received Stamped & Filed Nov 27/1882

J. A. Ely Clk

Clerks Office $2.50

This day A. L. Prideaux personally appeared before me and made oath, that he is informed and believes, That [1] Thos. D. Ely Sr, [2] Anderson Campbell, & [3] Belinda Campbell his wife formerly Belinda Ely, [4] Elisha L. Lundy, & [5] Ann Lundy his wife formerly Ann Ely, [6] Norden Ely [7] James Ely, [8] Franklin Ely, [9] Alexander E. Woodward, [10] the Unknown heirs of Elizabeth Ex decd, who was Elizabeth Woodward [11] John T. Woodward, [12] Robert P. Franklin, [13] J. M. Hanely, [14] James Hanely, ——— [15] Hammel & [16] Sallie Hammel his wife formerly Sallie Hanely, [17] James M. Thompson and [18] Josepline Thompson his wife formerly Josepline Hanely, [19] C. B. Hanely, [20] Wm. T. Nicl & [21] Phebe Nicl his wife formerly Phebe Hanely, [22] Frank Wiley & [23] Sarah Jane Wiley his wife formerly Sarah Jane Ely, [24] Nathan Woodward, [25] Eliza Woodward his wife formerly Eliza Ely, [26] Alexander Ely

27

The Unknown Heirs of Mary J. Blakemore
died formerly Mary J. Ely late the wife
Charles Blakemore, and Henry Long
are non-residents of the Common
wealth of Virginia. Given under
my hand this 27th day of Sept. 1882.

J. A. S. Hyatt Clerk

28

Susan M. Ely Guard
253
3
Margaret Ely et als

Filed Sept 27 1882
J. A. S. Hyatt
Clerk

Virginia

In the Clerk's Office of the Circuit Court, of Lee County, on Wednesday the 27 Sept. 1882

Susan M. Ely Exor. &c Plaintiff
against
Margret Ely & others Defendants } In Chancery

The object of this suit is to sell the Real Estate belonging to Margret Ely, Mary Ely and Ann Ely infants Children and heirs at law of Robert M. Ely Jun. deceased and it appearing from an affidavit filed in this cause that the defendants, 1 Thos. D. Ely sr. 2 Anderson Campbell, 3 Belinda Campbell his wife formerly Belinda Ely, 4 Elisha L. Lundy & 5 Ann Lundy his wife formerly Ann Ely, 6 Rhoda Ely, 7 James Ely, 8 Franks Ely, 9 Alexander E. Woodward, 10 the Unknown heirs of Elizabeth Woodward, 11 John L. Woodward, 12 Robert F. Franklin, 13 J. M. Hawely, 14 James Hawely, — 15 Hammel & 16 Sallie Hammel his wife formerly Sallie Hawely, 17 James M. Thompson, 18 Josephine Thompson his wife formerly Josephine Hawely, 19 Wm N. Nick & 20 Phebe Nick his wife formerly Phebe Hawely, 21 Frank Riley & 22 Sarah Jane Riley his wife formerly Sarah Jane Ely, 23 Nathan Woodward & 24 Eliza Woodward his wife formerly Eliza Ely, 25 Alexander Ely Jr. 26 the Unknown heirs of Mary J. Blakemore decd, who was formerly Mary J. Ely & late the wife of Charles Blakemore 27 & 28 B. Hawley and Henry Long, are non-residents of the Commonwealth of Virginia — it is therefore ordered that they appear here within one month after due publication of this order, to do what may be necessary to protect their interest in this suit.

A Copy Teste —

J. A. G. Hyatt Clerk

A. L. P.

Susan M. Ely Guar. &c
vs
Order, Publication
Margret Ely & others

I. J. A. L. Hyatt Clerk of Lee Circuit Court, do certify that I delivered a copy of the within order of Publication to the "Lee County Sentinel," a week ly newspaper on the 27th Sept, 1882, for publication therein & that I also posted a like copy thereof on the front door of the Court house of Lee County on the 1st day of the October County Court, Given under my hand this 19th day of October 1882.

J. A. L. Hyatt
Clerk

The Commonwealth of Virginia,

To the Sheriff of Lee County - - - Greeting:

We Command you to Summon 1 Margret Ely, 2 Mary Ely, 3 Ann Ely, 4 George R. Ely, 5 Alexander Ely Sr. 6 Thos. D. Ely Senr, 7 John W. M. Ely, 8 Wm L. Turner & 9 Phebe E. Turner his wife formerly Phebe E. Ely 10 Anderson Campbell & 11 Belinda Campbell, his wife formerly Belinda Ely, 12 James Ely, 13 Elisha L. Lundy, & 14 Ann Lundy his wife formerly Ann Ely, 15 Worden Ely, 16 Franks Ely, 17 Wm W. Woodward & 18 Ann Woodward his wife formerly Ann Hanely, 19 Alexander E. Woodward 20 C. S. Woodward 21 Joseph Ewing, and 22 Mary Ewing his wife formerly Mary Woodward, 23 the unknown heirs of Elizabeth Cox decd, who was formerly Elizabeth Woodward, 24 John T. Woodward, 25 Robert P. Franklin 26 D. M. Hanely, 27 James Hanely, 28 Hommes & 29 Sallie Hommes his wife formerly Sallie Hanely, 30 James M. Thompson, 31 Josephine Thompson his wife formerly Josephine Hanely, 32 C. B. Hanely, 33 Wm N. Neil & 34 Phebe Neil his wife formerly, Phebe Hanely, 35 N. B. Hanely, 36 Moses Ely, 37 Robert Ely, 38 James M. Ely, 39 [redacted] 40 Frank Wiley & 41 Sarah Jane Wiley his wife formerly Sarah Jane Ely and 42 Andrew Sisong, & 43 Elizabeth Sisong his wife formerly Elizabeth Ely, 44 Virginia Conner formerly Virginia Ely, 45 Nathan Woodward & 46 Eliza Woodward his wife formerly Eliza Ely, 47 Rufus Lofts & 48 Adaline Lofts his wife formerly Adaline Brockett, 49 Margret Brockett 50 Robert Brockett 51 Frank Brockett, 52 Alexander Ely Jr. 53 the unknown heirs of Mary J. Blakemore dcd, who was formerly Mary J. Ely & late the wife of Charles Blakemore, 54 Henry Long, 55 Thorban Sheets & 56 Precious Sheets his wife formerly Precious Long, 57 Magee Long, 58 Alice Long, 59 C. L. Hamblen, 60 Wm H. M. Baker & 61 Ellen Baker his wife formerly Ellen Hamblen. 62 Wm Brockett, 63 Jennie Brockett & 64 Moses Brockett,

To appear at the Clerk's office of the Circuit Court of Lee, at the Court-House, on the first Monday in October next, being rule day to answer a bill in Chancery, exhibited in our said Court against them by Lucian M. Ely Guardian of Margret Ely, Mary Ely, & Ann Ely, infant children & heirs at law of Robert M. Ely Junr. deceased,

And have then there this writ. Witness JOHN A. G. HYATT Clerk of our said Court at the Court-House this 25th day of September 188[illegible]; in the 107 year of the Commonwealth.

J. A. G. Hyatt CLERK.

(A. L. P.)

Susan M. Ely Guar. &c
vs
Spain Ely
Margret Ely et al

To October Rules 1882.

Executed by delivering copies of the within Spa, to 1 George R. Ely, 2 James M. Ely, 3 Moses Ely, 4 Virginia Bonner, 5 Adaline Lofter and also a copy to Ad Adaline Lofter for 6 Rufus Loftes, she being a white person over the age of 16 years & a member of his family, reading & explaining the same to her, he not being found at his usual place of abode — 7 Robert Crockett, 8 Wm. Crockett, 9 Mrs. Susong, and to 10 Elizabeth Susong, 11 Margret Ely, 12 Wm Ely, 13 Mary Ely, 14 Joseph Ewing, 15 Mary Ewing his wife, 16 Mat under Ely Jr, 17 Albert S. Woodward 18 Wm W. Woodward & 19 Wm Woodward his wife, 20 Wm L. Turner & 21 Phebe Turner his wife, 22 Thorban Sheets & 23 Precious Sheets his wife, 24 W. B. Hanley & 25 Robert B. Ely.

Tho. L. Ely, Jr. L. C.

Executed by delivering copies of the within Spa, to Wm. H. M. Baker, & Ellen Baker his wife, Joban W. M. Ely & Charles L. Hamilton Sept 30 1882

Thomas L. Ely, Jr. D. S. for L. S. Ely, L. S. C.

Publisher's Certificate.

Jonesville, Va., Nov. 27th, 1882.

I. F. R. STICKLEY, *Publisher of the LEE COUNTY SENTINEL, a weekly newspaper published at Jonesville, Lee County, Virginia, do certify that the annexed Chancery Order was published four successive weeks in said newspaper, publication ending Oct 20th, 1882.*

F. R. Stickley, *Publisher.*

Printer's fee $10.00

VIRGINIA:—In the Clerk's office of the Circuit Court of Lee county, on Wednesday, September 27th, 1882.

SUSAN M. ELY, Guardian, &c., Plaintiff.

against

MARGARET ELY and others, Defendants.

IN CHANCERY.

The object of this suit is to sell the real estate belonging to Margaret Ely Mary Ely and Ann Ely, infant children and heirs at law of Robert M. Ely, Jun'r., dec'd.; and it appearing from an affidavit filed in this cause that the defendants Thomas S. Ely, Sr., Anderson Campbell and Belinda Campbell, his wife, formerly Belinda Ely; Elisha L. Landy and Ann Landy his wife, formerly Ann Ely; Worden Ely, James Ely, Franka Ely, Alexander E. Woodward, the unknown heirs of Elizabeth Cox, dec'd., who was formerly Elizabeth Woodward; John T. Woodward, Robert P. Franklin, J. M. Haveley, James Haveley, —— Hounsel and Sallie Hounsel, his wife, formerly Sallie Havely; James M. Thompson and Josephine Thompson, his wife, formerly Josphine Haldy; C. B. Havely, Wm. N. Neil and Pheba Neil, his wife, formerly Pheba Havely; Frank Wiley and Sarah Jane Wiley, his wife, formerly Sarah Jane Ely; Nathan Woodwad and Eliza Woodward, his wife formerly Eliza Ely, Alexander Ely, Jun'r., the unknown heirs of Mary J. Blakemore, dec'd., formerly Mary J. Ely, and late wife of Charles Blakemore, and Henry Long, are non-residents of the Commonwealth of Virginia. It is ordered that they appear here within one month after due publication of this order to do what may be necessary to protect their interest in this suit. A copy: Teste,

(Sep 29 4w) J. A. G. HYATT, Clerk.

A. L. PRIDEMORE, p. q.

Susan M. Ely Executrix

vs } Pub certificate

Margret Ely et als

Fee $10.00